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Attorneys for Plaintiff KI, Inc.

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

KI, INC., on behalf of itself and all others similarly situated)	Case No.: C 09-05197 EMC
Plaintiff,)	CLASS ACTION
v.)	STIPULATION RE EXTENSION OF TIME FOR DEFENDANT TEAC AMERICA, INC. TO RESPOND TO COMPLAINT; [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT
SONY CORPORATION; et al.)	
Defendants.)	
)	

1 WHEREAS the undersigned plaintiff has filed the above-captioned case;

2 WHEREAS plaintiff alleges antitrust violations by manufacturers, distributors, and sellers of
3 Optical Disk Drives and products containing Optical Disk Drives (collectively “ODD products”);

4 WHEREAS at least four complaints have been filed to date in federal district courts
5 throughout the United States by plaintiffs purporting to bring class actions on behalf of direct
6 purchasers alleging antitrust violations by manufacturers, distributors, and sellers of ODD products
7 (collectively “the ODD Cases”);

8 WHEREAS plaintiff anticipates the possibility of Consolidated Amended Complaints in the
9 ODD Cases;

10 WHEREAS plaintiff and TEAC America, Inc. have agreed that an orderly schedule for any
11 response to the pleadings in the ODD Cases would be more efficient for the parties and for the
12 Court;

13 WHEREAS plaintiff agrees that the deadline for TEAC America, Inc. to answer, move, or
14 otherwise respond to its Complaint shall be extended until the earliest of the following dates: (1)
15 forty-five days after the filing of a Consolidated Amended Complaint in the ODD Cases; or (2)
16 forty-five days after plaintiff provides written notice to TEAC America, Inc. that plaintiff does not
17 intend to file a Consolidated Amended Complaint; or (3) any earlier response date to which TEAC
18 America, Inc. agrees or by which it is ordered to respond in any ODD case;

19 WHEREAS this Stipulation does not constitute a waiver by TEAC America, Inc. of any
20 defense, including but not limited to the defenses of lack of personal jurisdiction, subject matter
21 jurisdiction, improper venue, sufficiency of process or service of process;

22 PURSUANT TO LOCAL RULE 6-1(a), PLAINTIFF AND DEFENDANT

23 TEAC AMERICA, INC. BY AND THROUGH THEIR RESPECTIVE

24 COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

25 1. The deadline for TEAC America, Inc. to answer, move, or otherwise respond to
26 plaintiff's Complaint shall be extended until the earliest of the following dates: (1) forty-five days
27 after the filing of a Consolidated Amended Complaint in the ODD Cases; or (2) forty-five days after
28 plaintiff provides written notice to TEAC America, Inc. that plaintiff does not intend to file a

1 Consolidated Amended Complaint; or (3) any earlier response date to which TEAC America, Inc.
2 agrees or by which it is ordered to respond in any ODD case.

3 2. This Stipulation does not constitute a waiver by TEAC America, Inc., or any other
4 named defendant joining the Stipulation of any defense, including but not limited to the defenses of
5 lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process or
6 service of process.

7 DATED: December 3, 2009

Respectfully submitted,

8
9 By: /s/ Linda M. Fong

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Attorneys for Plaintiff KI, Inc.

DATED: December 3, 2009

By: /s/ David H. Bamberger
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ATTESTATION

I, Linda M. Fong, the ECF User whose identification and password are being used to electronically file this document hereby attest, in compliance with General Order 45.X.B, that David H. Bamberger has concurred in its filing and that Mr. Bamberger's signature, indicated by a conformed signature ("/s/") within this e-filed document, will be kept on file.

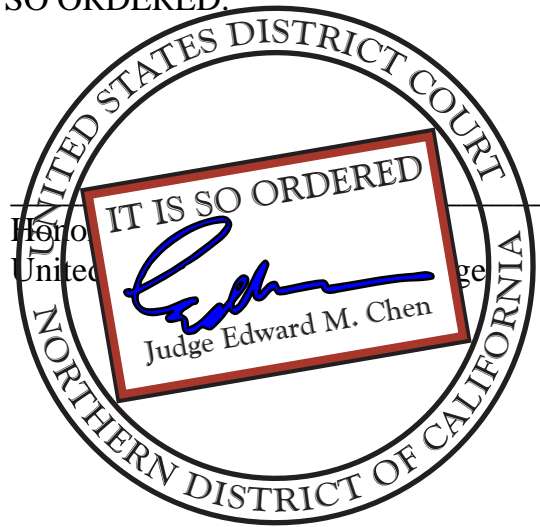
DATED: December 3, 2009

/s/
Linda M. Fong

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/7/09 _____



PROOF OF SERVICE

I, Adrianna D. Gutierrez, declare that I am over the age of eighteen (18) and not a party to the within action. I am employed in the law firm of Kaplan Fox & Kilsheimer LLP, 350 Sansome Street, San Francisco, California 94104.

On December __, 2009, I used the Northern District of California's Electronic Case Filing System, with the ECF registered to Linda M. Fong to file following document(s):

**STIPULATION RE EXTENSION OF TIME FOR DEFENDANT
TEAC AMERICA, INC. TO RESPOND TO COMPLAINT;
[PROPOSED] ORDER EXTENDING TIME TO RESPOND TO
COMPLAINT**

The ECF system is designed to send an e-mail message to all parties in the case, which constitutes service.

Executed December __, 2009, at San Francisco, California.

Adrianna D. Gutierrez